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WRITER'S DIRECT DIAL

June 22, 2009

Via Electronic Filing

Honorable William H. Walls
United States District Court
District of New Jersey Newark
M.L. King, Jr. Federal Bldg. & Courthouse
50 Walnut Street, Room 4046
Newark, New Jersey 07102

**Re: Otos Tech Co., Ltd. v. OGK America, Inc. and Yale Kim a/k/a Youngil Kim
District Docket No.: 03-1979 (WHW)
Third Circuit Docket Nos.: 07-3627 and 07-3775**

Dear Judge Walls:

This office represents defendants, OGK America, Inc. and Yale Kim (collectively “OGK”), in the above referenced matter. We write to confirm that this motion is assigned to Your Honor’s chambers.

Further, we write to request that given that Otos does not dispute its obligation to pay Yale Kim and OGK America \$322,244.95, Your Honor expeditiously order that amount to be paid. Docket No. 72, Surreply Certification of Moon Young Huh, at ¶ 19. Even if Your Honor reserves on the subsequent question in dispute – namely, whether Yale Kim’s satisfaction of the Korean judgment against him negates Otos’ attempt to use its identical American judgment against Mr. Kim as a set off against Mr. Kim’s \$910,000 judgment entered by Your Honor – we

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respectfully request that Your Honor order Otos to immediately pay the \$322,244.95 that it admits it owes to Mr. Kim. We are not making this request by way of formal motion in order to save Mr. Kim additional expenses, but, were Your Honor to insist on such a formality we would happily comply.

As Your Honor is aware from OGK's submissions, Mr. Yale Kim is an individual businessman and collects the majority of his income from sales commissions, like the commissions that were wrongly withheld by Otos in 2003. Consequently, due to the nature of the work that he performs, Mr. Kim does not receive a consistent income stream and Otos' 6-year delay in paying Mr. Kim has caused him considerable financial hardship. Further, Mr. Kim's resources have been diminished by defending the parallel Korean proceeding that Otos' initiated and, additionally, from the worldwide recession. Accordingly, OGK respectfully requests that Your Honor expeditiously issue an Order on the pending motion.

The Court's consideration of this request is appreciated

Respectfully submitted,

s/ Marc Haefner

Marc Haefner

MDH/NBD/dxm

Enclosure

cc: (via electronic mail)
Peter Pearlman
Nicole B. Dory, Esq.

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bcc: Yale Kim (via electronic mail)